



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,279	07/22/2003	Clifton Lind	0988.1039010	7465

35236 7590 12/30/2004

THE CULBERTSON GROUP, P.C.
1114 LOST CREEK BLVD.
SUITE 420
AUSTIN, TX 78746

EXAMINER

NGUYEN, BINH AN DUC

ART UNIT	PAPER NUMBER
----------	--------------

3713

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/624,279	LIND ET AL.	
	Examiner	Art Unit	
	Binh-An D. Nguyen	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/5/04; 6/1/04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>IDS: 8/20/04</u> . |

DETAILED ACTION

1. Claims 1, 6, 14, 16, and 21 are objected to because of the following informalities:

In claims 1, 6, 14, 16, and 21, the recited word "including" should be replaced by "comprising". Appropriate correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 14-18, and 20-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Alcorn et al. (6,620,047).

Alcorn et al. teaches a gaming system and method (having means or steps thereto) comprising: a cabinet; a game video display mounted on a front side of the cabinet; a player control touch screen forming at least a portion of a forwardly projecting ledge located below the game video display (user interface 42 that includes the touch screen buttons 40)(Fig.3; 4:13-25), the forwardly projecting ledge extending transversely to a plane of the game video display (Figs.1, 2); a first additional video display mounted on the front side of the cabinet above the game video display, the first additional video display making up substantially the entire area of the front side of the

Art Unit: 3713

gaming machine above the game video display; a second additional video display mounted on the front side of the cabinet below the player control touch screen; a player input device or player interface device separate from the player control touch screen and mounted on the forwardly projecting ledge (Figs.1, 2). Note that, the features of first, second, third, and fourth displays and their placements are inherent from the integrated display 16 which has three separated regions 15, 17, and 19 and are flexible to be configured (Figs. 1, 2; 3:54-4:25); and further, similar result from Alcorn et al.'s teaching can be achieved by implementing more contiguous displays (6:28-46).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaffe (6,254,481) in view of Wain (4,335,809).

Jaffe teaches a gaming system and method comprising (means or steps thereto): a cabinet; a game video display mounted on a front side of the cabinet; additional video displays mounted on the front side of the cabinet, the first additional video display making up substantially the entire area of the front side of the gaming machine (Fig.1); a player control device mounted on the front side of the cabinet, the player control device being separate from the game video display or first additional video display or being or integrated with the game video display (Fig.1; 3:24-64, 4:36-

Art Unit: 3713

64); the player control device includes a player control touch screen display (8:14-36); at least one player interface device mounted on the lower front surface of the gaming machine adjacent to additional video display (Fig. 1); displaying a first game presentation through a number of video displays mounted on a front side of the gaming machine, each respective video display showing a respective portion of the first game presentation; producing a presentation switching instruction at least partially based on conditions of a gaming system in which the gaming machine is included; and in response to the presentation switching instruction, displaying a second game presentation through the video displays mounted on the front side of the gaming machine, each respective video display showing a respective portion of the second game presentation (Figs. 3-5); simultaneously storing a first game presentation instruction set and a second game presentation instruction set at the gaming machine (primary or basic game and bonus game)(5:63-6:64), the first game presentation instruction set being executable to display the first game presentation and the second game presentation instruction set being executable to display the second game presentation; wherein producing the presentation switching instruction (bonus triggering) at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine; and more than two displays 14 and 16 may be used in the game system (10:17-31).

Jaffe does not teach the limitations of a game system comprising a number of gaming machines; a game modification controller in communication with each respective gaming machine, the game modification controller for selectively

Art Unit: 3713

communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (claim 6); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (claim 9); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (claim 10); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the usage of at least a portion of the gaming machines (claim 11); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (claim 12); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (claim 19); wherein the step of producing the presentation switching

Art Unit: 3713

instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine (claim 20).

Wain, however, teaches a game system comprising a number of gaming machines (22); a game modification controller (3) in communication with each respective gaming machine (Fig. 1), the game modification controller for selectively communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (7:13-45); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (7:36-45); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (7:1-12); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the usage of at least a portion of the gaming machines (6:63-67); the game modification controller communicates presentation switching instructions to a respective

Art Unit: 3713

gaming machine in response to a player input at the gaming machine (2:22-4:3; 5:21-6:30); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (5:21-6:30); wherein the step of producing the presentation switching instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine (4:4-5:11).

Regarding the limitation of additional displays and their placements (claims 1, 7, 21, and 23) or game presentations (claim 14), it would have been obvious to rearrange the plurality of Jaffe's displays to present unified images of the video game (as being suggested by Jaffe, 10:17-31). Further, regarding the limitations of a player control touch screen forming at least a portion of a forwardly projecting ledge located below the game video display (claims 1 and 8), since Jaffe suggested the player control buttons could be presented by touch screen interface, it would have been obvious to use touch screen interface for a player control panel to make it easier for control configuration.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine Jaffe's gaming machine having multiple video displays with the entertainment gaming network of Wain to provide more bonus games and simplify game machine repair and maintenance.

Art Unit: 3713

6. Claims 6-13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn (6,620,047) as applied to claims 1-5, 14-18, and 20-24 above, and further in view of Wain (4,335,809).

Alcorn teaches all limitations of claims 1-5, 14-18, and 20-24 above. Alcorn does not explicitly teach the limitations of a number of gaming machines; a game modification controller in communication with each respective gaming machine, the game modification controller for selectively communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (claim 6); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (claim 9); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (claim 10); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the usage of at least a portion of the

Art Unit: 3713

gaming machines (claim 11); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (claim 12); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (claim 19).

Wain, however, teaches a game system comprising a number of gaming machines (22); a game modification controller (3) in communication with each respective gaming machine (Fig. 1), the game modification controller for selectively communicating presentation switching instructions to each respective gaming machine, the presentation switching instructions being executable at the gaming machine to cause the respective gaming machine to switch the content of each video display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation (7:13-45); a game presentation server with a presentation storage arrangement for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one of the gaming machines to define at least a portion of the video content of at least two different video displays on the respective gaming machine during the operation of the respective gaming machine (7:36-45); the game modification controller is also for directing the transfer of a new set of presentation instructions from the presentation server to a respective one of the gaming machines in connection with presentation switching instructions communicated to the respective gaming machine (7:1-12); a gaming

Art Unit: 3713

machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the usage of at least a portion of the gaming machines (6:63-67); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (2:22-4:3; 5:21-6:30); storing a second game presentation instruction set at a game presentation server remote from the gaming machine; and communicating the second game presentation instruction set to the gaming machine to facilitate the display of the second game presentation at the gaming machine (5:21-6:30); wherein the step of producing the presentation switching instruction at least partially based on conditions of the gaming system is performed based on conditions of the gaming system monitored by the gaming machine (4:4-5:11). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine Alcorn et al.'s gaming machine having multiple video displays with the entertainment gaming network of Wain to provide more bonus games and simplify game machine repair and maintenance.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3713

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BN



XUAN M. THAI
PRIMARY EXAMINER

AU 3713